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Attorneys for Defendant
Mylan Pharmaceuticals Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELI LILLY AND COMPANY,

Plaintiff,

v.

**ACTAVIS ELIZABETH LLC,
GLENMARK PHARMACEUTICALS INC.,
USA, SUN PHARMACEUTICAL
INDUSTRIES LIMITED, SANDOZ INC.,
MYLAN PHARMACEUTICALS INC.,
APOTEX INC., AUROBINDO PHARMA
LTD., TEVA PHARMACEUTICALS USA,
INC., SYNTHON LABORATORIES, INC.,
ZYDUS PHARMACEUTICALS USA, INC.,**

Defendants.

Civil Action No. 07-3770 (DMC)(MF)

NOTICE OF MOTION TO SEAL

RETURN DATE: JUNE 7, 2010

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PLEASE TAKE NOTICE that on the 7th day of June, 2010, or as soon thereafter as counsel may be heard, Defendant Mylan Pharmaceuticals Inc. ("Mylan") will appear before the Honorable Mark Falk, United States Magistrate Judge, sitting at the Frank R. Lautenberg U.S. Post Office & Federal Courthouse, 1 Federal Square, Newark, New Jersey 07102, and will move this Court pursuant to Local Civil Rule 5.3(c), for an Order to Seal the following:

- Pages 3, 13, 14, and 15 of Defendants' Brief in Opposition to Plaintiff's *Motion In Limine* To Preclude Testimony of Defendants' Expert Dr. James R. Johnson Relating to U.S. Patent No. 5,658,590;
- Exhibit 3, pages 148, 184-185, and 246-256, attached to the Declaration of Victoria E. Spataro, Esq. ("Spataro Declaration") filed in support of Defendants' Brief in Opposition to Plaintiffs' *Motion In Limine* To Preclude Testimony of Defendants' Expert Dr. James R. Johnson Relating to U.S. Patent No. 5,658,590;
- Exhibit 6, paragraphs 35 and 190, attached to the Spataro Declaration; and
- Exhibit 7 attached to the Spataro Declaration.

PLEASE TAKE FURTHER NOTICE THAT Mylan shall rely upon the accompanying Brief, the Declaration of Victoria E. Spataro, Esq., the Proposed Findings of Fact and Conclusions of Law, and all papers submitted herewith. A proposed form of Order is also submitted for the Court's consideration.

Respectfully submitted,

SAIBER LLC
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